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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR12-017-TSZ
10)
11 Plaintiff,)
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13)
14 v.) SUMMARY REPORT OF U.S.
15) MAGISTRATE JUDGE AS TO
16 CODY RUSSELL SHIPLEY,) ALLEGED VIOLATIONS
17) OF SUPERVISED RELEASE
18 Defendant.)
19)
20

21 An initial hearing on supervised release revocation in this case was scheduled before me
22 on January 25, 2013. The United States was represented by AUSA Nicholas Brown and the
23 defendant by Jennifer Wellman. The proceedings were digitally recorded.

24 Defendant had been sentenced on or about June 14, 2012 by the Honorable Thomas S.
25 Zilly on a charge of Felon in Possession of a Firearm and sentenced to 12 months and one day in
26 custody, 3 years supervised release.

27 The conditions of supervised release included the standard conditions plus the
28 requirements that defendant participate in drug testing and treatment, abstain from alcohol,
29 submit to search, participate in mental health treatment including Moral Reconation Therapy,

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31 SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
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01 and provide access to financial information upon request. (Dkt. 28.)

02 In an application dated (Dkt. 29, 30), U.S. Probation Officer Analiese D. Johnson
03 alleged the following violations of the conditions of supervised release:

04 1. Failure to submit to drug testing on November 30, December 13, 18, 19, and 20,
05 2012.

06 2. Failure to notify the probation officer to a change in residence on or about
07 December 11, 2012, in violation of standard condition no. 6.

08 3. Failure to submit to a mental health assessment on or about December 19, 2012.

09 At hearing, the government moved to amend alleged violation 1 to delete the allegation
10 that defendant failed to submit to drug testing on November 30. (Dkt. 32.)

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted the violations as amended and waived any evidentiary hearing as to
13 whether they occurred.

14 I therefore recommend the Court find defendant violated his supervised release as
15 alleged in violations 1-3, and that the Court conduct a hearing limited to the issue of disposition.
16 The next hearing will be set before Judge Zilly.

17 Pending a final determination by the Court, defendant has been detained. A status
18 hearing regarding detention has been scheduled for February 1, 2013.

19 DATED this 25th day of January, 2013.

20 

21 Mary Alice Theiler
22 United States Magistrate Judge

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

01 cc: District Judge: Honorable Thomas S. Zilly
02 AUSA: Nicholas Brown
02 Defendant's attorney: Jennifer Wellman, Cory Endo
02 Probation officer: Analiese D. Johnson
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SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
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